IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39926 of 2008

1. NIRAJ PASWAN S/O- LOLAI PASWAN
2. **RAM KISHUN PASWAN** S/O- LATE RUPPI PASWAN
3. **NIRYA DEVI** W/O- RAM KISHUN PASWAN
4. **RINA DEVI** W/O- LOLAI PASWAN
5. **RAMBATI DEVI,** W/O- JAGDISH PASWAN

ALL ARE RESIDENT OF VILLAGE – KUPARI,
P.S. RANIGANJ, DISTRICT - ARARIA

Versus

STATE OF BIHAR

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2. **05.12.2008** Heard the parties.

Petitioners are accused in a case registered for the offences under Sections 144, 452, 366A, 380 and 120B of the Indian Penal Code.

The allegation against the petitioners is that they entered into the house of the informant in the night at about 11 p.m. and took away valuable articles worth Rs. 50,000/- and also taken the sister of the informant on assuring her for marriage. However, the allegation is that they kidnapped the sister of informant for the purpose of prostitution.

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Learned counsel for the petitioner submits that the girl herself fled away with the petitioner no.1 as would be evident in the statement recorded under Section 164 Cr.P.C in which she has categorically stated that it is the informant and the petitioner no.1 who are responsible for this, others are not.

Having considered the submissions, as

noticed above, and in the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of four weeks from today, the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria in connection with Raniganj P.S. Case No. 72 of 2008 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

So far as petitioner no.1, Niraj Paswan is concerned, considering the nature of allegation, I am not inclined to grant bail to the petitioner no.1. Accordingly, prayer for bail on behalf of the petitioner no. 1 is rejected.

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Jagdish/- **(Shailesh Kumar Sinha,J)**